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13th Assembly

Standing Committee on Government Operations

REPORT ON THE THIRD ANNUAL REPORT (1994–1995) OF THE LANGUAGES COMMISSIONER OF THE N.W.T.

Roy Erasmus, M.L.A.,
Chair

105-00540/

Northwest Territories Legislative Assembly

Standing Committee on Government Operations

May 28, 1996

THE HONOURABLE SAM GARGAN, M.L.A.
SPEAKER OF THE LEGISLATIVE ASSEMBLY

Mr. Speaker,

Your Standing Committee on Government Operations has the honour of presenting its Report on the Third Annual Report of the Languages Commissioner, and commends it to the House.

Roy Erasmus, M.L.A.
Chair

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Report on the Third Annual Report of the Languages Commissioner

The First Annual Report of the Languages Commissioner of the Northwest Territories, covering the 1992/93 fiscal year, was tabled in the Legislative Assembly on December 14, 1993 and referred to the Standing Committee on Agencies, Boards and Commissions. Among the Committee's recommendations was to amend the Committee's terms of reference to provide that all reports of the Languages Commissioner would be so referred. This was approved by motion in the House on November 9, 1994.

With the new Standing Committee structure adopted by the 13th Legislative Assembly, responsibility for considering the Annual Reports of the Languages Commissioner now falls under the terms of reference of the Standing Committee on Government Operations. The Languages Commissioner's Third Annual Report, for the 1994/95 fiscal year, was tabled November 23, 1995 . This Standing Committee considered the report in meetings in Yellowknife on January 17, 1996. at which a public hearing was held with the Premier, the Honourable Don Morin, and the outgoing Languages Commissioner, Ms. Betty Harnum.

The Standing Committee wishes to acknowledge the input of the witnesses and thank them for their appearance at the public hearings. We would also like to thank the Languages Commissioner and her staff for their assistance in preparing for this review.

Committee's Response to Recommendations of the Languages Commissioner

LANGUAGES COMMISSIONER'S RECOMMENDATION #1
That the Legislative Assembly insist that the Premier table the Handbook without delay, and that the Standing Committee ... review this document at the earliest possible opportunity, in order to address the outstanding recommendations made by the Languages Commissioner in 1992–93 and 1993–94.

The Languages Commissioner's first recommendation reiterated the need for clear direction to Government departments and agencies regarding their responsibilities under the Act. In the Languages Commissioner's first Annual Report, Recommendation #8 was that 'the GNWT clarify to which institutions the *Official Languages Act* applies and that they inform these institutions and the public.' The Government said that the Official Languages Handbook being prepared would address this issue, and the Standing Committee on Agencies, Boards and Commissions recommended in November 1994 that the Handbook be completed and distributed by December 31, 1994.

To date, the Handbook has still not been completed, and Government departments and agencies still do not have clear direction as to their responsibilities under the Act. Hence, the Languages Commissioner has recommended again 'that the Legislative Assembly insist that the Premier table the Handbook without delay.'

The Standing Committee on Government Operations acknowledges the importance of the *Official Languages Act*, and the importance of providing adequate government services to Northerners in their own languages where appropriate. It is imperative that the Government determine what services they can deliver in other languages given the resources available, subject to the provisions of the Act, and then direct Government departments and agencies appropriately. The delay in implementing this direction is unacceptable.

LANGUAGES COMMISSIONER'S RECOMMENDATION #2
That, before the appointment of the next Languages Commissioner, the Standing Committee ... and the Management and Services Board, with the assistance of the Languages Commissioner, carefully consider this new contractual arrangement to ensure it complies with the Official Languages Act and to determine whether or not amendments will be required to the Act.

Recommendation #2 in the Languages Commissioner's Annual Report referred to concern about the proposed arrangement to hire the new Languages Commissioner on a contractual basis. The Committee carefully considered this issue, and determined that such an arrangement would be appropriate, especially given that most deputy ministers in the Government are now hired on contract as well.

LANGUAGES COMMISSIONER'S RECOMMENDATION #3
That, in preparation for division of the NWT in 1999, the Languages Commissioner and organizations representing Official Language groups be included in the Legislative Assembly's discussions concerning proposed changes to the Official Languages Act and to the Office of the Languages Commissioner.

Recommendation #3 referred to the upcoming division of the NWT. At present, plans for division generally in the Government are still at an early stage of development, and the 13th Assembly recognizes the importance of finalizing those plans as soon as possible. As part of its mandate is to oversee issues related to division, the Standing Committee will ensure that Official Languages issues will be carefully considered as part of this process. The Standing Committee will also ensure that the Languages Commissioner and official languages groups will be included in the development of plans for division.

LANGUAGES COMMISSIONER'S RECOMMENDATION #4
That the Standing Committee... with the assistance of the Languages Commissioner, review the Access to Information and Protection of Privacy Act before its coming into effect on December 31st, 1996 and consider such amendments as are necessary to ensure that this Act:

- **does not contravene any portion of the Official Languages Act, and**
- **does not interfere with the Languages Commissioner's authority to access information for the purpose of complaints investigations, and**
- **adequately protects the identity of individuals involved in complaints made to the Languages Commissioner.**

The Languages Commissioner's fourth recommendation expresses concern that the *Access to Information and Protection of Privacy Act*, due to come into force December 31, 1996, may interfere with the Languages Commissioner's authority

under the *Official Languages Act*. Committee Members have noted the concerns of the Languages Commissioner, and will be considering the issues raised to ensure that they are properly addressed before the *Access to Information and Protection of Privacy Act* comes into force at the end of the year.

Conclusion

As Members of a new Legislative Assembly, the Members of the Standing Committee on Government Operations are looking forward to a close working relationship with the Office of the Languages Commissioner. The work done to date has made a significant impact on the status of official languages in the Northwest Territories. The Standing Committee hopes that the future will bring continued development and strengthening of official languages, and that the Office of the Languages Commissioner will look to this task as a key component of the Office's role.